

QUIN DENVIR, Bar #49374
Federal Defender

JEFFREY L. STANIELS, Bar #91413
Assistant Federal Defender
Designated Counsel for Service
801 I Street, 3rd Floor
Sacramento, California 95814
Telephone: (916) 498-5700

Attorney for Defendant
JASON WILKISON

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

| | | |
|---------------------------|---|----------------------------------|
| UNITED STATES OF AMERICA, |) | No. 2:04-cr-0317 LKK |
| |) | |
| Plaintiff, |) | |
| |) | STIPULATION AND ORDER CONTINUING |
| v. |) | CASE AND EXCLUDING TIME |
| |) | |
| JASON WILKISON, |) | |
| |) | Date: April 19, 2005 |
| Defendant. |) | Time: 9:30 a.m. |
| |) | Judge: Hon. Lawrence K. Karlton |

IT IS HEREBY STIPULATED by and between Assistant United States Attorney Kymberly A. Smith, counsel for plaintiff, and Assistant Federal Defender Jeffrey L. Staniels, counsel for defendant JASON S. WILKISON, that the hearing scheduled for April 19, 2005, at 9:30 a.m., be vacated, and that the matter be placed on this court's regular criminal calendar on June 7, 2005, at 9:30 a.m. for status conference.

This continuance is sought by the parties to accommodate the unavailability of government counsel on April 19, 2005, and by defense to complete presentation to and consideration by the government of a proposal for resolution of the case without litigation of motions or trial.

June 7, 2005, is requested rather than an earlier May date

1 because of the unavailability of both counsel from May 24, 2005, to
2 approximately May 30, 2005, because of a trial set before the Hon.
3 William B. Shubb in United States v. Campbell.

4 **IT IS FURTHER STIPULATED** that time for trial under
5 the Speedy Trial Act, 18 U.S.C. § 3161 *et. seq.* be excluded from April
6 19, 2005, through June 7, 2005, pursuant to 18 U.S.C. §
7 3161(h)(8)(B)(iv), Local Code T-4, for continuity of counsel and for
8 further time to prepare.

9 The court is advised that counsel for the parties have
10 conferred and that Ms. Smith has authorized Mr. Staniels to sign this
11 stipulation on her behalf.

12 **IT IS SO STIPULATED.**

13
14 Dated: April 14, 2005

_____/S/
Kymberly A. Smith
Assistant United States Attorney
Counsel for Plaintiff

15
16
17
18 Dated: April 14, 2005

_____/S/
JEFFREY L. STANIELS
Assistant Federal Defender
Attorney for Defendant
JASON S. WILKISON

19
20
21 **O R D E R**

22
23 **IT IS SO ORDERED.**

24 By the Court,

25
26 Dated: April 15, 2005

_____/s/Lawrence K. Karlton
Hon. Lawrence K. Karlton
Senior Judge
United States District Court